

COMMITTEE ON FINANCE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Dennis L. Fish, District No. 5

The COMMITTEE ON FINANCE met on Monday, November 17, 2003, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 6:05 p.m.

PRESENT: Acting Chairman, Mr. William E. Crosby, Councilmember District No. 3; Mrs. Judith K. Spooner, Councilmember District No. 2; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; Mr. Steve C. Davis, Councilmember District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara Austin, Clerk to County Council. Mr. Dennis L. Fish, Councilmember District No. 5, Chairman; Mr. Milton Farley, Councilmember District No. 1; and Mr. Charles E. Davis, Councilmember District No. 4, were excused from this Committee Meeting of Finance.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina and the Berkeley County Library, and mailed to the newspapers, radio stations, television stations and concerned citizens.

In the absence of Chairman Fish, Acting Chairman Crosby called the meeting to order and asked the Committee's approval on the minutes for the Finance Meeting held on October 20, 2003.

It was moved by Councilmember Spooner and seconded by Councilmember Mims to approve the minutes as presented. The motion passed by unanimous voice vote of the Committee.

Chairman Crosby stated Item A was Consideration of the following:

1. A Resolution approving assignment of existing Fee-in-Lieu Tax arrangements by Bayer Polymers LLC.

It was moved by Councilmember Spooner to send the Resolution Re: Bayer Polymers LLC to Council for adoption.

Supervisor Rozier stated Bayer was divesting parts of their property, and as they are being sold, jobs are maintained. This allows Bayer to transfer their Fee-in-Lieu to the new organization, which is beneficial.

The motion was seconded by Councilmember Mims and passed by unanimous voice vote of the Committee.

Supervisor Rozier stated #2, Re: Haarmann & Reimer was also a part of the Bayer Organization originally.

2. A Resolution approving the assignment of existing Fee-in-Lieu of Tax Arrangement by Haarmann & Reimer.

It was moved by Councilmember Spooner and seconded by Councilmember Mims to send the Resolution Re: Haarmann & Reimer to Council for adoption. The motion passed by unanimous voice vote of the Committee.

3. A Resolution (1) acknowledging and consenting to the transfer of 100% of the equity interest in J W Aluminum Company; and (2) other matters relating thereto.

Supervisor Rozier stated that J W was entertaining a sale of the plant off Mt. Holly Road. This is an equity interest transfer of Fee-in- Lieu, etc.

It was moved by Councilmember Mims and seconded by Councilmember Spooner to send the Resolution Re: J W Aluminum to Council for adoption. The motion passed by unanimous voice vote of Council.

4. A Resolution giving an extra day of paid vacation in recognition of the 2003 Christmas Holiday.

It was moved by Councilmember Mims and seconded by Councilmember Pinckney send the Resolution Re: 2003 Christmas Holiday to Council for adoption.

Supervisor Rozier indicated this Resolution would add Friday to the holidays.

The motion passed by unanimous voice vote of the Committee.

B. Review prior to Second Reading of the following:

1. Bill No. 03-67, An Ordinance to reduce the assessment ratio applicable to general aviation aircraft subject to property tax in Berkeley County to four percent (4%) of the fair market value of the aircraft.

It was moved by Councilmember Pinckney and seconded by Councilmember Spooner to send Bill No. 03-67 to Council for Second Reading. The motion passed by unanimous voice vote of Council.

2. Bill No. 03-68, an Ordinance to amend the Agreement for the Development of a Joint County Industrial Park executed April 24, 1995, by and among Berkeley County, South Carolina, and Williamsburg County, South Carolina, providing for the development of a jointly owned and operated industrial/business park so as to include additional property in both

Berkeley County and Williamsburg County as part of the joint County Industrial Park and other matters relating thereto.

It was moved by Councilmember Pinckney and seconded by Councilmember Spooner to send Bill No. 03-68 to Council for Second Reading.

Supervisor Rozier stated a Joint Industrial Park was not being created; however, the Multi-County Park Program allows the State to provide additional incentives to industry. Berkeley County has an on going program with Williamsburg County and our Multi-County Park Ordinance is amended each time an industry is added.

The motion passed by unanimous voice vote of the Committee.

3. Bill No. 03-69, an Ordinance authorizing, pursuant to Chapter 44 Title 12, South Carolina Code of Laws, 1976. as amended, the execution and delivery of a fee agreement between Berkeley County, South Carolina and DJL Land Company, LLC; and matters relating thereto.

It was moved by Councilmember Spooner and seconded by Councilmember Mims to send Bill No. 03-69 to Council for Second Reading.

Supervisor Rozier stated this is the first process of negotiations in starting a Fee-in-Lieu with this industry. Additional information would be brought to Council as the process progresses; currently, this is a confidential arrangement.

The motion passed by unanimous voice vote of the Committee.

4. Bill No. 03-70, an Ordinance authorizing: (1) acquisition by Berkeley County, South Carolina (the "county") of certain real and personal property; (2) a lease purchase agreement between the County, as lessor, and Van Smith Block Company, LLC as lessee, with respect to the personal and real property so acquired; (3) payment by such lessee of certain fees in lieu of Ad Valorem taxes; (4) the reconveyance of such property pursuant to the terms of such lease purchase agreement; (5) the placement of such real property to a multi-county industrial park and (6) certain other matters related thereto.

It was moved by Councilmember Spooner and seconded by Councilmember Mims to send Bill No. 03-70 to Council for Second Reading. The motion passed by unanimous voice vote of the Committee.

5. Bill No. 03-72, an Ordinance to amend Section VII of Ordinance No. 03-06-38, The Berkeley County Budget Ordinance for 2003-2004, to eliminate the express provisions regarding rates and per diem for travel expense reimbursement and to provide for the establishment of rates by resolution.

It was moved by Councilmember Spooner to send Bill No. 03-72 to Council for Second Reading.

Councilmember Mims asked for an explanation.

Supervisor Rozier stated Council asked him to take a look at the per diem charges and in response he recommended an amount. In his response Council agreed to the amount that was being voted on. The Resolution would allow Council to change rates without three readings and a public hearing as with an Ordinance.

Councilmember Mims seconded the motion and it passed by unanimous voice vote of the Committee.

6. Bill No. 03-76, an Ordinance authorizing economic development incentives, including a lease purchase agreement, between Berkeley County, South Carolina, and BP Amoco Chemical Company, whereby Berkeley County will enter into an arrangement for payments in lieu of property taxes; and other related matters.

It was moved by Councilmember Spooner and seconded by Councilmember Pinckney to send Bill No. 03-76 to Council for Second Reading. The motion passed by unanimous voice vote of the Committee.

Item C, Review prior to Third Reading of the following:

1. Bill No. 03-71, an Ordinance to amend the Budget of the Berkeley County Special Fire Tax District, Ordinance Number 03-06-37, by providing for distribution other than those previously approved and to further clarify other matters relating thereto.

It was moved by Councilmember Spooner and seconded by Councilmember Mims to send Bill No. 03-71 to Council for Third and Final Reading. The motion passed by unanimous voice vote of the Committee.

Item D, REPORTS FROM STANDING COMMITTEES:

1. Committee on Justice and Public Safety, Mrs. Judy C. Mims, Chairman.

Councilmember Mims stated the Committee met on November 10, 2003; and on recommendation of the Committee she moved to extend employment of one temporary employee in the Magistrate's Department to the end of the fiscal year; funding to come from Contingency. (No Second Required)

The motion passed by unanimous voice vote of the Committee.

On recommendation of the Committee Councilmember Mims moved to convert one temporary employee in the Magistrate's Department to a full-time position to the end of the fiscal year; funding to come from Contingency. (No Second Required)

The motion passed by unanimous voice vote of the Committee.

On recommendation of the Committee Councilmember Mims moved to approve one additional Deputy, LE1, for the Sheriff's Department; funding to come from Contingency. (No Second Required)

The motion passed by unanimous voice vote of the Committee. (That concluded Councilmember Mims' report.)

COMMITTEE ON PUBLIC WORKS AND PURCHASING, Mr. Caldwell Pinckney, Jr.,
Chairman.

Councilmember Pinckney stated the Committee met on November 10, 2003; and on recommendation of the Committee he moved to approve one additional position in the GIS Department; funding to come from Contingency. (No Second Required)

The motion passed by unanimous voice vote of the Committee.

Supervisor Rozier indicated he needed authority from Council to also eliminate the position in the Tax Assessor's Office.

It was moved by Councilmember Spooner and seconded by Councilmember Mims to eliminate one position in the Tax Assessor's Office. The motion passed by majority vote of the Committee with Councilmembers Pinckney and Steve Davis voting "Nay."

It was moved by Councilmember Spooner and seconded by Councilmember Mims to adjourn. The motion passed by unanimous voice vote of the Committee.

The Meeting on Finance adjourned at 6:14 p.m.

December 15, 2003
Date Approved

FINANCE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Dennis L. Fish, District No. 5

Members: Mr. Milton Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A Meeting of the COMMITTEE ON FINANCE, Standing Committee of Berkeley County Council, will be held on Monday, November 17, 2003, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Comer, South Carolina, immediately following the Planning and Development meeting at 6:00 pm.

AGENDA

APPROVAL OF MINUTES

October 20, 2003

A. Consideration of the following:

1. A Resolution approving assignment of existing Fee-in-Lieu of Tax arrangements by Bayer Polymers LLC.
2. A Resolution approving the assignment of existing Fee-in-Lieu of Tax Arrangement by Harrmann & Reimer.
3. A Resolution (1) acknowledging and consenting to the transfer of 100% of the equity interest in J W Aluminum Company; and (2) other matters relating thereto.
4. A Resolution giving an extra day of paid vacation in recognition of the 2003 Christmas Holiday.

B. Review prior to Second Reading of the following:

1. Bill No. 03-67, An Ordinance to reduce the assessment ratio applicable to general aviation aircraft subject to property tax in Berkeley County to four percent (4%) of the fair market value of the aircraft.
2. Bill No. 03-68, An Ordinance to amend the Agreement for Development of a Joint County Industrial Park executed April 24, 1995, by and among Berkeley

County, South Carolina, and Williamsburg County, South Carolina, providing for the development of a jointly owned and operated industrial/business park so as to include additional property in both Berkeley County and Williamsburg County as part of the joint County Industrial Park, and other matters relating thereto.

3. Bill No. 03-69, An Ordinance authorizing, pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Berkeley County, South Carolina and DJL Land Company, LLC; and matters relating thereto.
4. Bill No. 03-70, An Ordinance authorizing: (1) acquisition by Berkeley County, South Carolina (the "county") of certain real and personal property; (2) a lease purchase agreement between the County, as lessor, and Van Smith Block Company, LLC as lessee, with respect to the personal and real property so acquired; (3) payment by such lessee of certain fees in lieu of Ad Valorem taxes; (4) the reconveyance of such property pursuant to the terms of such lease purchase agreement; (5) the placement of such real property to a multi-county industrial park and (6) certain other matters related thereto.
5. Bill No. 03-72, An Ordinance to amend Section VII of Ordinance No. 03-06-38, The Berkeley County Budget Ordinance for 2003-2004, to eliminate the express provisions regarding rates and per diem for travel expense reimbursement and to provide for the establishment of rates by resolution.
6. Bill No. 03-76, an Ordinance authorizing economic development incentives, including a lease purchase agreement, between Berkeley County, South Carolina, and BP Amoco Chemical Company, whereby Berkeley County will enter into an arrangement for payments in lieu of property taxes; and other related matters.

C. Review prior to Third Reading of the following:

1. Bill No. 03-71, An Ordinance to amend the Budget of the Berkeley County Special Fire Tax District, Ordinance Number 03-06-37, by providing for distribution other than those previously approved and to further clarify other matters relating there to.

D. REPORTS FROM STANDING COMMITTEES:

1. Committee on Justice and Public Safety
Council Member Mrs. Judy C. Mims, Chairman
 - a. Magistrate's Department: Additional personnel for Department.
 - b. Sheriff's Department: Additional personnel for Department.

2. Committee on Public Works and Purchasing
Council Member Mr. Caldwell Pinckney, Chairman
 - a. GIS Department: Additional personnel for Department.

November 12, 2003
S/Barbara B. Austin
Clerk of County Council